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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORACLE USA, INC.; a Colorado corporation;
 ORACLE AMERICA, INC.; a Delaware
 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
 and SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-VCF

**MOTION TO SEAL PORTIONS OF
 ORACLE'S OBJECTIONS TO
 PORTIONS OF MAGISTRATE
 JUDGE FERENBACH'S ORDER**

Pursuant to the Stipulated Protective Order governing confidentiality of documents entered by the Court on May 21, 2010, ECF No. 55 (“Protective Order”), Local Rule 10-5(b), and Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation (collectively “Oracle”) respectfully request that the Court order the Clerk of the Court to file under seal portions of Oracle’s Objections to Portions of Magistrate Judge Ferenbach’s Order (“Objections”) discussing material designated as “Confidential Information” or “Highly Confidential Information – Attorneys’ Eyes Only” or consisting of non-public, technologically and commercially sensitive information that was previously filed under seal. A public, redacted version of the Objections was filed on February 12, 2020, *see* ECF No. 1311. An unredacted version of this document will be filed under seal with the Court and linked to the filing of this Motion. “[G]ood cause’ suffices to warrant preserving the secrecy of sealed discovery material attached to nondispositive motions.” *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003).

Portions of the Objections discussing material previously sealed in Oracle’s Motion to Compel re Post-Injunction Discovery and declarations and exhibits thereto and Oracle’s Reply ISO Motion to Compel re Post-Injunction Discovery and declarations and exhibits thereto should be sealed for the same reasons set forth in the motions to seal those documents. *See* ECF Nos. 1291, 1301.

Certain redacted portions of Oracle’s Objections reflect information that Rimini Street, Inc. (“Rimini”) has designated “Confidential” or “Highly Confidential - Attorneys’ Eyes Only” under the Protective Order. Other redacted portions of Oracle’s Reply reflect information drawn from additional sources designated by Rimini under the Protective Order in *Rimini II*. Oracle submits these documents under seal pursuant to the Protective Order based on Rimini’s representation that it reasonably believes there is a valid basis under the Protective Order for its confidentiality designations. Because the material was designated by Rimini, Oracle is not in a position to provide further justification for why filing the documents publicly would cause Rimini harm sufficient to show good cause.

1 Oracle has submitted all other portions of the Objections for filing in the Court's public
2 files, which will allow public access to all materials except for the portions discussed above.
3 Accordingly, this request to seal is narrowly tailored.

4 For the foregoing reasons, Oracle respectfully requests that the Court grant leave to file
5 under seal the documents discussed above.

6
7 DATED: February 12, 2020

MORGAN, LEWIS & BOCKIUS LLP

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9 By: /s/ John A. Polito

John A. Polito

10 Attorneys for Plaintiffs Oracle USA, Inc., Oracle
11 America, Inc., and Oracle International Corporation
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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of February, 2020, I electronically transmitted the foregoing **MOTION TO SEAL PORTIONS OF ORACLE'S OBJECTIONS TO PORTIONS OF MAGISTRATE JUDGE FERENBACH'S ORDER** to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being registered to receive Electronic Filing.

MORGAN, LEWIS & BOCKIUS LLP

DATED: February 12, 2020

By: /s/ John A. Polito
John A. Polito

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America, Inc., and Oracle International
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